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Customer Number

Request for Continued Examination (RCE) Transmittal

CERTIFICATE OF TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being transmitted to United States Patent and Trademark Office on the date shown below via the Office electronic filing system.

October 8, 2009
Date

/Susan M. Dacko/
Signed by: Susan M. Dacko

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

First Named Inventor: Henderson, Christopher P.
Application No.: 10/810958 Confirmation No.: 9828
Filed: March 26, 2004
Title: Non-elastomeric Respirator Mask that has Deformable Cheek Portions

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. **Submission required under 37 CFR § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless Applicant instructs otherwise. If Applicant does not wish to have any previously filed unentered amendment(s) entered, Applicant must request non-entry of such amendment(s).
 - a. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - ii. ☐ Other:
 - b. ☐ Enclosed:
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)/Supplemental IDS
 - iv. ☐ Other:
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. Other _____
3. **Fees:** The RCE fee (\$810.00) under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.
 - ☒ The RCE fee required under 37 CFR § 1.17(e) will be made at the time of submission via EFS-Web. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge any fees under 37 CFR § 1.17 which may be required to Deposit Account No. 13-3723.
 - ☐ The Director is authorized to charge the RCE fee required by 37 CFR § 1.17(e) to Deposit Account No. 13-3723.
 - ☒ Please charge any additional fees associated with the prosecution of this application to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested.
 - ☒ Please credit any overpayment to the same deposit account.
4. ☐ A Request for Extension of Time is being filed concurrently.

Respectfully submitted,

October 8, 2009
Date

By: _____/Karl G. Hanson/
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